

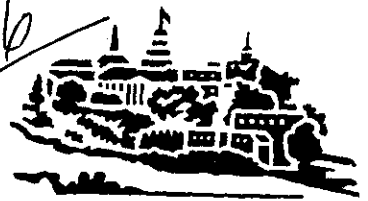
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OCT 22 2004

FCC - MAILROOM

04-296



To: The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th St., SW
Washington D.C. 20554

Dear Chairman Powell;

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The City of Iowa City, Iowa has a cable TV franchise that requires the cable company to provide a local emergency alert system (EAS) that the City can activate and control. This EAS has been one of the priority points the City has included in its current refranchising efforts with the incumbent cable operator.

The City wants to retain the ability to alert its own residents about a danger to them. There are no local broadcast stations in Iowa City. The cable operator's headend is twenty miles away in Cedar Rapids, Iowa. The operator indicates that any EAS information it puts out would go to the entire cable footprint, which includes a dozen communities. The same is true of any EAS information any one of those communities wants distributed - the alert would go out unnecessarily to other communities that are not affected by the danger. Having to depend upon any cable operator's, or any other community's ability to initiate the warnings necessary for our community is undesirable.


The cable operator is enabling the City to control it's own EAS, which will cablecast only to Iowa City. As a result, reaction to any impending danger to the community can be initiated by the first responders in the City. These are the people who would know about the problem first and could respond the fastest. In addition, by this method we are not interrupting cable service for any other community.

The FCC's current rulemaking proceedings with regard to local EAS preemption does not acknowledge the importance of a local EAS and the need for such a system to be under the control of the local authority. A Federal EAS, as discussed, does not address the needs of our city. In the past the FCC has steadfastly supported the local cable EAS. Further, the City does not believe the FCC has the power to preempt such systems given its authority as granted by Congress.

The City urges the FCC to continue to support local cable EAS control by municipalities.

Thank you for your time, attention and consideration. If you have any questions, please feel free to contact Drew Shaffer, Cable TV Administrator for Iowa City at 319-356-5046 or drew-shaffer@iowa-city.org

Sincerely,


Ernie Lehman, Mayor
City of Iowa City

cc: Commissioner Kathleen Q. Abernathy
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Commissioner Michael J. Copps
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